

## CONGRESSIONAL RECORD SUMMARY

Wednesday, July 18, 2001

### SENATE

#### Committee Meetings:

**Committee on the Judiciary:** Committee held hearings to examine Federal Bureau of Investigation management reform issues, including agency structure organization, span of control, and internal employee investigations.

**Committee on the Judiciary:** Committee concluded hearings on the nomination of *James W. Ziglar*, of Mississippi, to be *Commissioner of Immigration and Naturalization*, Department of Justice, after the nominee, who was introduced by Senators Daschle, Lott, and Cochran, testified and answered questions in his own behalf.

**Special Committee on Aging:** Committee held to examine long term care issues, focusing on costs and demands including state initiatives to shift Medicaid services away from institutional care and toward community based services.

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#### Committee Meetings For Thursday, July 19, 2001:

**Committee on Appropriations: @ 2:00 p.m.** *Full Committee, business meeting to mark up proposed legislation making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002*, and proposed legislation making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2002. S-128, Capitol.

**Committee on the Judiciary: Business meeting to consider the nomination** of *Ralph F. Boyd, Jr.*, of Massachusetts, to be an *Assistant Attorney General*, Civil Rights Division, the nomination of *Robert D. McCallum, Jr.*, of Georgia, to be an *Assistant Attorney General*, Civil Division, and the nomination of *Eileen J. O'Connor*, of Maryland, to be an *Assistant Attorney General*, Tax Division, all of the Department of Justice; **the nomination of Roger L. Gregory, of Virginia, to be United States Circuit Judge for the Fourth Circuit; the nominations of Richard F. Cebull and Sam E. Haddon, each of Montana, to be a United States District Judge for the District of Montana; S. 625**, to provide Federal assistance to States and local jurisdictions to prosecute hate crimes; **S. 407**, to amend the Trademark Act of 1946 to provide for the registration and protection of trademarks used in commerce, in order to carry out provisions of certain international conventions; **S. 778**, to expand the class of beneficiaries who may apply for adjustment of status under section 245(i) of the Immigration and Nationality Act by extending the deadline for classification petition and labor certification filings; **S. 754**, to enhance competition for prescription drugs by increasing the ability of the Department of Justice and Federal Trade Commission to enforce existing antitrust laws regarding brand name drugs and generic drugs. SD- 226.

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#### Committee Meetings Scheduled:

**Committee on the Judiciary, 7/24/01 @ 10:00 a.m. *Administrative Oversight and the Courts Subcommittee to hold hearings to examine the role of the Senate in the nomination and confirmation process. SD-226.***

**Committee on the Judiciary, 7/24/01 @ 2:00 p.m. *To hold hearings on pending judicial nominations. SD-226.***

**Committee on Health, Education, Labor, and Pensions, 7/25/01 @ 9:30 a.m. To hold hearings to examine genetics research issues and non-discrimination in health insurance and employment. SD-430.**

**Committee on Indian Affairs, 7/25/01 @ 10:00 a.m. To hold oversight hearings on the implementation of the Indian Gaming Regulatory Act. SH-216.**

**Committee on Governmental Affairs, 7/25/01 @ 2:30 p.m. International Security, Proliferation and Federal Services Subcommittee to hold hearings on *S. 995, to amend chapter 23 of title 5, United States Code*, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in non-disclosure policies, forms, and agreements that such policies, forms and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel. SD-342.**

**Committee on Governmental Affairs, 7/30/01 @ 9:30 a.m. To hold hearings to examine the rising use of the drug ecstasy, focusing on ways the government can combat the problem. SD-342.**

**Committee on the Judiciary, 7/30/01 @ 1:00 p.m. To hold hearings on the nomination of *Robert S. Mueller III*, of California, to be *Director of the Federal Bureau of Investigation*, Department of Justice. SH-216.**

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**Committee on Health, Education, Labor, and Pensions, 7/30/01 @ 10:00 a.m. *To hold hearings to examine asbestos issues. SD-430.***

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## **HOUSE**

### **Bills Introduced:**

**H.R. 2540.** A bill to amend title 38, United States Code, to make various improvements to veterans benefits programs under laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

Smith

*Page H 4215*

**H.R. 2547.** A bill to *require certain executive agencies* to carry out a cost-effective program for identifying any errors made in paying contractors and for recovering any amounts erroneously paid to contractors; to the Committee on Government Reform.

Burton

*Page H 4215*

### **Bills Introduced (Cont'd.):**

**H.R. 2555.** *A bill to amend chapter 53 of title 5, United States Code, to include employees of the legislative branch in the program established under such chapter under which Federal agencies may*

*agree to repay student loans of their employees*, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Lee

*Page H 4216*

**H.R. 2558.** A bill to amend the Age Discrimination in Employment Act of 1967 with respect to voluntary early retirement benefits and medical benefits; to the Committee on Education and the Workforce.

Petri

*Page H 4216*

**H.R. 2559.** *A bill to amend chapter 90 of title 5, United States Code, relating to Federal long-term care insurance*; to the Committee on Government Reform, and in addition to the Committees on the Judiciary, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Scarborough

*Page H 4216*

**H.R. 2500. Commerce, Justice, State, and the Judiciary Appropriations, 2002:**

*The House passed H.R. 2500, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002 by a yea-and-nay vote of 408 yeas to 19 nays, Roll No. 248. The House began consideration of the bill on July 17.*

*Pages H 4130-H 4202, D 726*

*"... Under H.R. 2500, the Justice Department is slated to be funded at the \$21.7 billion level, a 3 percent increase over the current level and the level requested by the President, and the judiciary is to be funded at the \$4.7 billion level, a 10 percent increase over last year, but 4 percent less than the President's request. While I am pleased that H.R. 2500 would increase the funding to important law enforcement entities such as the INS, FBI, DEA, federal prison system, U.S. Court of Appeals and the Supreme Court, I am disappointed that it calls for a 2 percent reduction to the COPS program..." (Bentsen, Page H 4200)*

**Agreed To:**

***Oxley amendment No. 34*** printed in the Congressional Record of July 17 that strikes language in order to reduce SEC fees in a comprehensive manner consistent with **H.R. 1088**, Investor and Capital Markets Fee Relief Act, as passed the House;

*Pages H 4158-9, D 726*

***Jackson-Lee of Texas amendment No. 20*** printed in the Congressional Record of July 17 that prohibits funding to disallow states from participating in voluntary child safety gun lock programs;

*Pages H 4163, D 726*

***Rohrabacher amendment No. 35*** printed in the Congressional Record of July 17 that prohibits the Justice or State Departments from filing motions in any court opposing civil actions by American World War II prisoners of war, used as slave or forced labor, against Japanese persons or corporations for compensation or reparations. Earlier, a point of order raised against the Rohrabacher amendment was overruled by the Chairman of the Committee of the Whole (agreed to by a recorded vote of 395 yeas to 33 nays, Roll No. 243);

*Pages H 4168-72, H 4195, D 726*

**H.R. 2500. Commerce, Justice, State, and the Judiciary Appropriations, 2002 (Cont'd.):**

**Rejected:**

***Jackson-Lee of Texas amendment No. 21*** printed in the Congressional Record of July 17 that sought to

prohibit the deportation of aliens for convictions of crimes if specified plea agreements were executed before April 1, 1997 or if discretionary relief under section 212(c) of the Immigration and Nationality Act was requested after June 25, 2001 (rejected by a recorded vote of 189 ayes to 242 noes, Roll No. 242);

*Pages H 4162-3, H 4166, D 726*

***Moran of Virginia amendment No. 30*** printed in the Congressional Record of July 17 that sought to prohibit the destruction of FBI records from the national instant criminal background check system within 90 days after the date the record is created (rejected by a recorded vote of 161 ayes to 268 noes, Roll No. 244);

*Pages H 4172-5, H 4196, D 726*

***Waters amendment No. 12*** printed in the Congressional Record of July 16 that sought to prohibit United States Trade Representative funding to initiate a proceeding in the WTO pursuant to any provision of the Agreement of Trade-Related Aspects of Intellectual Property Rights challenging any law of a country that is not a member of the Organization for Economic Cooperation and Development (rejected by a recorded vote of 123 ayes to 306 noes, Roll No. 247).

*Pages H 4181-7, H 4198, D 727*

**Withdrawn:**

***Hinchey amendment No. 3*** printed in the Congressional Record of July 16 was offered but subsequently withdrawn that sought to prohibit the Justice Department from interfering with the implementation of laws in Alaska, Arizona, California, Colorado, Hawaii, Maine, Nevada, Oregon, or Washington that authorize the use of medical marijuana in those States;

*Pages H 4189-93, D 727*

***Bartlett amendment No. 14*** printed in the Congressional Record of July 17 was offered but subsequently withdrawn that sought to prohibit any funding to implement recommendations adopted at the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects; and

*Pages H 4193-4, D 727*

***Delahunt amendment No. 16*** printed in the Congressional Record of July 17 was offered but subsequently withdrawn that sought to prohibit any funding after December 15, 2001 ***for the operation of the Office of Independent Counsel in the investigation designated "In re: Henry G. Cisneros."***

*Pages H 4194-5, D 727*

**Point of Order Sustained Against:**

***Jackson-Lee of Texas amendment No. 19*** printed in the Congressional Record of July 17 that sought to make available \$7.8 million to the State Department for legal representation for parents who are seeking the return of children abducted to or from the United States under the Hague Convention on the Civil Aspects of International Child Abduction;

*Pages H 4153-5, D 727*

***Jackson-Lee of Texas amendment No. 25*** printed in the Congressional Record of July 17 that sought to make available \$20 million to the INS for an alternative detention program for aliens who are not a danger to the community and are not likely to abscond;

*Pages H 4161-2, D 727*

***Kucinich amendment No. 11*** printed in the Congressional Record of July 16 that sought to prohibit United States Trade Representative funding to initiate a proceeding in the WTO pursuant to any provision of the Agreement of Trade-Related Aspects of Intellectual Property Rights challenging any law of a country that is not a member of the Organization for Economic Cooperation and Development relating to HIV/ AIDS pharmaceuticals; and

*Pages H 4179-81, D 727*

**H. Res. 192**, the rule that provided for consideration of the bill was agreed to on July 17.

*Page D 727*

**Committee Meetings:**

**Committee on the Judiciary:** Subcommittee on Commercial and Administrative Law held a hearing on **H.R. 1410, *Internet Tax Moratorium and Equity Act*.**

**Committee on Transportation and Infrastructure:** *Ordered reported the following bill: H.R. 988, to designate the United States courthouse located at 40 Centre Street in New York, New York, as the “Thurgood Marshall United States Courthouse.” The Committee also approved 47 public building resolutions and other pending Committee business.*

**Committee on Transportation and Infrastructure:** Subcommittee on Highways and Transit held an oversight hearing on NAFTA: Arbitration Panel Decision and Safety Issues with Regard to Opening the U.S./ Mexican Border to Motor Carriers.

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**Committee Meetings For Thursday, July 19, 2001:**

**Committee on the Budget,** @ 10:00 a.m. Hearing on Federal Budget Process Structural Reform. 210 Cannon.

**Committee on Government Reform,** @ 10:00 a.m. Hearing on “*The Benefits of Audio-Visual Technology in Addressing Racial Profiling.*” 2154 Rayburn.

**Committee on the Judiciary,** @ 10:00 a.m. To mark up the following bills: **H.R. 2175**, Born-Alive Infants Protection Act of 2001; **H.R. 2047**, Patent and Trademark Office Authorization Act of 2002; **H.R. 2048**, *to require a report on the operations of the State Justice Institute.* 2141 Rayburn.

**Committee on the Judiciary,** @ TBA. Subcommittee on Crime, to mark up the following bills: **H.R. 2505**, Human Cloning Prohibition Act of 2001; and **H.R. 1007**, *James Guelff Body Armor Act of 2001, following full Committee markup.* 2141 Rayburn.

**Committee on the Judiciary,** @ 2:00 p.m. Subcommittee on Immigration and Claims, oversight hearing on “*The U.S. Population and Immigration.*” 2237 Rayburn.

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**Remarks:**

Support For Patients’ Bill Of Rights.

Osborne

*Page H 4119*

Time Is Long Overdue To Pass A Patients’ Bill Of Rights.

DeLauro

*Pages H 4119-20*

Help Needed For Patients’ Not Trial Lawyers.

Hayworth

*Page H 4120*

Pass Patients’ Bill Of Rights For Meaningful HMO Reform.

Pallone

*Pages H 4204-11*

Introduction Of The Internet Tax Fairness Act Of 2001.

Goodlatte

*Page E 1349*

**Remarks (Cont’d.):**

**Introduction Of Legislation To Require Federal Agencies To Identify And Recover Erroneous Payments Made To Contractors. (H.R. 2547)**

*“... My bill would require Federal agencies procuring more than \$500,000,000 in goods and services each year to carry out recovery auditing programs. Agencies could either conduct recovery audits in- house, or*

*they could use private contractors, whichever is most efficient. Part of the money recovered would be used to pay for the recovery audits and to credit appropriations accounts from which the erroneous payments were made. Amounts recovered would also be used by agencies to improve management practices and would be refunded to the General Treasury...”*

Burton

*Pages E 1355-6*

Introduction Of Economic Revitalization Tax Act Of 2001.

Crane

*Page E 1358*

Constitutional Amendment Authorizing Congress To Prohibit The Physical Desecration Of The Flag Of The United States.

McCollum

*Page E 1362*

LaHood

*Pages E 1362-3*

Moore

*Pages E 1363-4*

Largent

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**Next SENATE MEETING: Thursday, 10:00 a.m., July 19, 2001.**

**Next HOUSE MEETING: Thursday, 10:00 a.m., July 19, 2001.**

**OLA: S. Schwarz (Smith), J. Homanich**